

Application Number 10/664,235

Amendment in response to Office Action mailed June 5, 2006

RECEIVED
CENTRAL FAX CENTER

JUL 28 2006

REMARKS

This Amendment is responsive to the Office Action dated June 5, 2006. Applicants have amended claims 3, 6, 7, 12, 17, and 18 and cancelled claim 14. Claims 1-13 and 15-19 are pending.

Claim Rejection Under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-19 under 35 U.S.C. 102(b) as being anticipated by Shimizu et al. (JP 61-265767); and rejected claims 12, 14-16 and 19 under 35 U.S.C. 102(b) as being anticipated by Proctor (US 3,169,720). Applicants respectfully traverse the rejections to the extent such rejections may be considered applicable to the amended claims. The applied references fail to disclose each and every feature of the claimed invention, as required by 35 U.S.C. 102(b), and provide no teaching that would have suggested the desirability of modification to include such features.

Shimizu

Shimizu fails to disclose or suggest a system comprising double-sided data storage tape comprising first and second opposing sides, a turntable, and a head mounted on the turntable, wherein the turntable rotates to allow the head to access the first and second sides of the double-sided data storage tape, as recited by Applicants' claim 1.

In support of the anticipation rejection on the basis of Shimizu, the Examiner characterized the rotary head cylinder of the Shimizu system as rotating to allow the head to access the first and second sides of the double-sided data storage tape. The rotary head cylinder is moved laterally between a non-operating and an operating position. This lateral movement of the head cylinder of Shimizu, however, occurs in a direction orthogonal to the longitudinal direction of the tape (see the Constitution of Shimizu).

Shimizu does not teach or suggest rotating the rotary head cylinder to allow the head to access the first and second sides of the double-sided data storage tape. The rotary head cylinder may rotate during recording and reproducing, but the rotation of Shimizu does not cause or allow the head to access both sides of the tape. Rather, the lateral movement of the head cylinder of Shimizu allows the head to access both sides of the tape irrespective of any rotation by the

Application Number 10/664,235

Amendment in response to Office Action mailed June 5, 2006

Shimizu head cylinder. In contrast to Shimizu, claim 1 requires the rotation of the turntable to allow the head to contact both sides of the tape. Shimizu fails to disclose or suggest this feature.

Moreover, Shimizu fails to disclose or suggest a turntable that rotates to disallow the head access to the tape and then lowers to descend the head below the tape path of the data storage tape, as required by Applicants' claims 6 and 17, as amended. The rotation of the Shimizu rotary head cylinder does not disallow the head to access the tape. Similarly, Shimizu fails to disclose or suggest a turntable that rotates to disallow the head access to the tape, lowers to descend the head below the tape path of the data storage tape, raises to elevate the head into the tape path of the data storage tape, and then rotates to allow the head to access one of the first or second sides of the double-sided data storage tape, as required by claim 7 and 18, as amended.

Shimizu also fails to disclose or suggest a turntable that rotates to position the head in a first position, wherein the head has access to the first side of a double-sided data storage tape when the head is in the first position, and a second position, wherein the head has access to the second side of a double-sided data storage tape when the head is in the second position, as required by Applicants' amended claim 3. As explained above, the rotary head cylinder of the Shimizu system does not rotate to allow contact to both sides of a double-sided data storage tape. Instead, the rotary head cylinder of Shimizu is moved laterally in a direction orthogonal to the longitudinal direction of the tape to allow the head to access both sides of the tape (see the Constitution of Shimizu).

In other words, the lateral movement of the head cylinder of Shimizu allows the head to access both sides of the tape irrespective of any rotation by the head cylinder. Shimizu clearly does not disclose rotating a turntable to position a head in a first position, wherein the head has access to the first side of a double-sided data storage tape when the head is in the first position, and a second position, wherein the head has access to the second side of a double-sided data storage tape when the head is in the second position. Finally, Shimizu also does not disclose the first position of the head comprising approximately 180 degrees of rotation of the turntable relative to the second position of the head, as further required by Applicants' claim 4.

Applicants' claim 12, as amended, describes, "a data storage tape drive comprising a head mounted on a turntable, wherein the turntable rotates to position the head in a first position, wherein the head has access to a first side of a double-sided data storage tape when the head is in

Application Number 10/664,235

Amendment in response to Office Action mailed June 5, 2006

the first position and a second position, wherein the head has access to a second opposing side of a double-sided data storage tape when the head is in the second position.” The arguments stated above for claim 3 are also applicable to claim 12.

In particular, Shimizu fails to disclose or suggest a turntable that rotates to position the head in a first position, wherein the head has access to a first side of a double-sided data storage tape when the head is in the first position, and a second position, wherein the head has access to a second opposing side of a double-sided data storage tape when the head is in the second position. Additionally, Shimizu fails to disclose or suggest that the first position of the head comprises approximately 180 degrees of rotation of the turntable relative to the second position of the head, as further required by Applicants' claim 15.

Proctor

In support of the anticipation rejection of claim 12 on the basis of Proctor, the Examiner stated that Applicants' claim 12 recited an intended use limitation that did not structurally differentiate the claimed apparatus from the prior art. Applicants have amended claim 12 to clarify the structural limitations of the invention. Proctor fails to disclose or suggest the elements of claim 12, as amended.

Proctor fails to disclose or suggest, “a data storage tape drive comprising a head mounted on a turntable, wherein the turntable rotates to position the head in a first position, wherein the head has access to a first side of a double-sided data storage tape when the head is in the first position, and a second position, wherein the head has access to a second opposing of a double-sided data storage tape when the head is in the second position,” as recited by Applicants' claim 12, as amended. Furthermore, the recited features of claim 12 are clearly structural in nature.

The Proctor system contains recording and reproducing heads which are mounted on a rotatable turret that may be revolved to position the heads in the path of travel of the tape between the two reels (See Column 2, lines 25-29 of Proctor). Proctor fails to suggest accessing opposing sides of a double-sided data storage tape whatsoever.

Furthermore, Proctor makes no mention of rotating the turret to position a head in a first position, wherein the head has access to a first side of a double-sided data storage tape when the

Application Number 10/664,235

Amendment in response to Office Action mailed June 5, 2006

head is in the first position, and a second position, wherein the head has access to a second opposing of a double-sided data storage tape when the head is in the second position, as required by claim 12, as amended. Proctor also fails to disclose or suggest that the first position of the head comprises approximately 180 degrees of rotation of the turntable relative to the second position of the head, as further required by Applicants' claim 15.

CONCLUSION

Shimizu and Proctor fail to disclose each and every limitation set forth in claims 1-13 and 15-19. For at least these reasons, the Examiner has failed to establish a prima facie case for anticipation of Applicants' claims 1-13 and 15-19 under 35 U.S.C. 102(b). Withdrawal of these rejections is requested.

In view of the distinctions addressed above between the current claims and the applied prior art, Applicants reserve further comment at this time on any other features of the independent or dependent claims. However, Applicants do not necessarily acquiesce in any of the rejections or the Examiner interpretations of the applied references. Applicants reserve the right to present additional arguments with respect to any of the independent or dependent claims.

All claims in this application are in condition for allowance. Applicants respectfully request reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 09-0069. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

7/28/06

Imation Legal Affairs
P.O. Box 64898
St. Paul, Minnesota 55164-0898
Telephone: (651) 704-3604
Facsimile: (651) 704-5951

By:



Name: Eric D. Levinson
Reg. No.: 35,814